IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Group Art Unit: 2173
	Examiner: Nguyen, Cao (Kevin)
Froloff, W	Docket: EMO2
	CERTIFICATE OF MAILING
Serial No.: 10/648,433	I hereby certify that this correspondence is being deposited with the US Postal Service as First Class Mail in a postage-paid envelope addressed to Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on
Filed: 08/25/03	
Title: **System and Method for Encoding Decoding Parsing and Translating Emotive Content in Electronic Communication**	October, 9 2006. Signed: _____ Walt Froloff

Response to Advisory Action 02/068/06 and Request for Continued Examination (RCE)

Commissioner for Patents
M/S Amendments
Box 1450
Alexandria, VA 22313-1450

In re Application of:

SYSTEM AND METHOD FOR ENCODING DECODING PARSING AND TRANSLATING EMOTIVE CONTENT IN ELECTRONIC COMMUNICATION

Subject: Entering of proposed claims prior to Final Rejection dated 3/8/06 for Patent Application Number: 10/648,433, closed before consideration of entered claim amendments below.

Dear Examiner Nguyen:

Enclosed is a 1) summary of our conversation 4/17/06 response to the Final Rejection RCE Office Action dated March 8, 2006 and 2) amended claims. These were not considered prior to the final rejection. We hope these will serve to remove all rejections as per your request.

1. Claim Rejections under 35 USC § 102

Regarding our phone conversation April 17, 2006, pursuant to patent application 10/648,433, our conversation centered around prior art by Hatlelid et al, US 6,522,333, and hereafter referred to as Hatlelid and we summarize:

The emotive content in Hatelid and all the previous prior art still deal with graphical user interface and receiver interpretation of the emotive content. Emovectors are sender/author centric and contain specific emotive state, not moods, personalities, or gestures. That specific emotive state has a state name or label, not generic and cannot have a general denotation as moods can, as "good" "bad" "positive" "negative" "dark" "light" etc. Moods have a built in sign value, negative or positive, emotive states do not. Moods comprise emotive states and often have a plurality of emotive states all mixed in together, and frequently carry the name of the dominant emotive state, ie, a "happy mood", a "sad mood". Emotive states are single and atomic. They are not a sum or total of some other emotive states.

Hatelib teaches and claims behavior and visual information, moods, moods with gestures, moods with absolute scales of mood intensities, personality or behavior with dials and intensity bars. Although those can all be construed as manifestations of emotions, visuals and graphics with movement and manifestations of weighted movements are indicative of emotion but not the emotions themselves. Frankly they are still too imprecise and must be interpreted by receivers to obtain the emotions. Since the behavior is unique to the individual, this makes the guessing even less precise.

Moods are: a general overall mental disposition of all your current feelings. You can have many feelings generally all a one time. That is your mood. You can be in a "good" or "bad" mood, but you cannot be in a "good" or "bad" emotive state. You can be in a "negative" or "dark" mood, or "positive" or "light" mood. This is because you may be happy, exited, anxious, afraid and still be in a "good" mood. Mood is the net overall feeling that you have presently. Emotive states are specific and individual, with **names or labels**, Happy, Sad, Anxious, Exited, etc. Emovectors allow the building of relationships and transitions between emotive states, Moods do not allow this because of the mix inside. You can be in a happy mood, but that is general and under that you can have several emotive states, even though the happy mood may predominate it cannot be accurately translated another mood without loosing some emotive states.

Mood Intensity: Hatelid defines this as "the mood intensity selection allows the user to adjust which behavioral movements associated with the personality will be selected by assigning each movement a weight that determines the probability the movement will be selected." Therefore Hatelid mood intensity is not even the intensity of the mood itself, but only allows the user to select behavioral movement.

Therefore Mood Intensity is **not** Emotive Intensity or even analogous to emotive intensity because mood intensity as defined "allows the user to adjust which behavioral movements associated with personality or mood...", not the degree of the mood. This is further shown in Hatelid because he discloses that one can have a "happy" mood (Figure 2b) with a negative value for mood intensity, -10 to +10. Or a "sad" mood with a positive mood intensity, -10 to +10. Thus, the moods intensities are for graphical manipulation of movements.

Emotive Intensity is the specific value of the emotive state felt from the sender's range of highest to lowest specific emotive state levels, ie. value normalized to the sender maximum and minimum felt or experienced feeling intensities of a specific emotive state. An individual may have many emotive states on various specific subjects or matters. Each will have their own associated intensity and that is normalized to the author's individual uniquness, not some absolute −10 to +10 movement scale.

Mood Intensity Scale: (Intensity bar on Figure 2a and Figure 9a) are an <u>absolute,</u> −10 to +10 scale. This is the minimum and maximum scale for "adjusting the behavioral movements associated with personality or mood" This has nothing to do with a users emotive state intensity, for which the user must introspect to discover and may drive behavior. A user must feel the intensity and ask where if falls on his/her personal scale, then normalize it against their most and least intense feelings experienced for that emotive state. Behaviorally, a user may be furiously angry mood, yet display that without intensely flapping their arms as per the Mood Intensity scale value -10 or alternatively the user can choose to intensely flap their arms at the maximum absolute intensity value 10+, both of which can be correct from the senders standpoint depending on how he/she expresses him/her self behaviorally yet has no information as to what and how much the author feels inside.

Emotive intensity scale: will be specific to the individual and the individual's specific emotive state, not absolute in either of those aspects. The emotive intensity is also sign less, has no sign value, because emotional states have no sign. Moods have signs by definition, good or bad, negative or positive because that could be a general mental disposition as defined by mood. Emotive states have no sign by definition. An emotional state just is. Emovectors do not carry a signed emotive intensity or intensity range with a sign or an absolute scale.

Furthermore, a signed intensity prohibits emotive equivalencing, translating to other emotive states, an aspect of the invention that allows for relationships between emotive states to be numerically processed. Mood cannot get you from the emotive state "Outraged" to emotive state "irritated" Or "ecstatic" to "amused" There is no way to translate between emotive states because moods are a generic feeling, a sum total of how one feels, and not specific enough to translate from one emotive state to another. Hence the added emotive content precision is dramatically improved upon by the invention by requiring the send to be introspective, to look inside him/her self, and discover the emotive intensity of the feeling, normalizing that to their set of experiences and providing that quantity.

Behavior:

Hatelid is all about behavior. Expressing personality, moods and gestures. But behavior is an external manifestation of action based on feelings. Emovectors reflect feelings and completely bypass behavior. Behavior can be misinterpreted and often is, inferring a specific feeling when another or plurality of other feelings are the root impetus.

There is plenty of room for error when the receiver has to judge the mood or feelings from animated behavior. That's why Hatelid doesn't have emovectors, because they handle don't that problem, the room for error in judgment by the receiver, as to what the behavior means and that indicative of the senders internal emotive state/intensity.

Another disadvantage of receiving behavioral cues is to think that everyone is just like us. Or, closer to the truth, that everyone SHOULD be like us. If we have a great natural smile we feel like others should also beam a celebrity smile. But people are NOT like us. Due to culture, family

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upbringing, peer group, genetics, medications, emotional states, bad teeth, and more...people are inclined or not inclined to smile. They are who they are. It's just the way it is. And transmitting behavioral characteristics in the hopes that this is emotively accurate is not reality, but that's what Hatelid does, allows the transmission of behavior in gestures, moods and personalities.

Another fallacy is "what you see is what you get!" Not necessarily so. Interpreting human nature is more complex that just observing someone's smile or looking at his or her gestures. Just because a person isn't smiling doesn't mean he's unhappy. Just because a person is smiling doesn't mean she's happy. Although a smiling worker is terrific, there is a good chance that the more serious-looking worker connects and communicates better with the customer than the worker with the mandatory, plastic smile.

And sometimes "what you see isn't what you get" because our reading of smiles and behavior is an art and not a science. When we see a smile or a gesture, many times the impression of whether it's real or fake is correct, but sometimes it's wrong. That's the prior art. That's not emovectors. The differences between Hatelid's mood/intensity and emovectors is briefly:

Hatelid allows for moods, not emotive states. Moods are generic mental disposition which include more than one emotive state and often many emotive states, henc their sum affect can be "good mood", "bad mood" "dark mood light mood" which are not emotive states, which have names or labels like happy, anxious, sad, afraid, etc.

Hatelid mood intensity relates to behavior movements or movement weights, not intensity value the of mood itself. Ie mood is not −10 or +10, that is the value that some movement will acquire. Emotive intensity is the value of the emotive state itself, not some other parameter related to movement of some other object, extrinsic to mood/emotion itself.

Hatelid mood scale gives a numerical value to the degree of movement, not for the degree of emotive state felt.

Hatelid mood intensity scale is a signed absolute scale (negative to positive, good to bad), not a numerical range of the emotive state normalized to the user, dependent on the user's uniqueness and based on the users emotional reaction. This reaction in the data entity form of an emovector is not behavioral, its totally internal to the user and must be introspected. While this information can be used to create behavior, that's not what we teach or claim and other inventions, Hatelib, do that.